

APR 10 2006

10 SOUTH WACKER DRIVE, SUITE 3000
CHICAGO, ILLINOIS 60606TEL: 312.463.5000
FAX: 312.463.5000
www.bannerwitcoff.comBANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
MAIL STOP AMENDMENT	Kenneth F. Smolik
COMPANY:	DATE:
USPTO	April 10, 2006
FAX NO.:	TOTAL NO. OF PAGES: (including cover sheet)
(571) 273-8300	11
YOUR REFERENCE NO.:	OUR REFERENCE (C/M) NO.:
09/868,664	005222.00181
RE:	In re: Appln. Nichols Appln. No. 09/868,664 Filed: September 26, 2001 For: A Runtime Program Analysis Tool for a Simulation Engine

OFFICIAL FAX

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME:	PHONE:
Alma Bahena	312-463-5585

COMMENTS:

Amendment

BEST AVAILABLE COPY

Important/Confidential: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

APR 10 2006

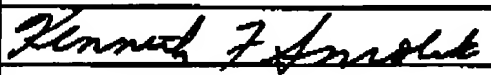
002/011

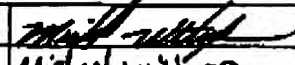
P O/SB/21 (09-04)
OMB 0681-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/668,664	
	Filing Date	September 26, 2001	
	First Named Inventor	Stewart M. Nichols	
	Art Unit	2129	
	Examiner Name	Mellin Bell	
Total Number of Pages in This Submission	11	Attorney Docket Number	005222.00161

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply / Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Coversheet
Remarks The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Kenneth F. Smolik		
Date	April 10, 2006	Reg. No.	44,344

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Michael W. Harrison	Date	April 10, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

BEST AVAILABLE COPY

RECEIVED
CENTRAL FAX CENTER**APR 10 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
(Attorney Docket No. 005222.00161)

In re U.S. Patent Application of Nichols)
Application No. 09/868,664) Examiner: Bell, Meltin
Filed: September 26, 2001) Group Art Unit: 2129
For: A RUNTIME PROGRAM ANALYSIS) Confirmation No.: 3001
TOOL FOR A SIMULATION ENGINE)

BEST AVAILABLE COPY**AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is responsive to the non-final Office Action mailed January 10, 2006. The Examiner set a three-month period for response, thus making this Amendment due on or before April 10, 2006. The Commissioner is authorized to charge any required fees to Deposit Account No. 19-0733.

Please amend this application as follows:

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.